

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No.: 1:10-CV-03108-JOF
)	
v.)	[On removal from the State
)	Court of Fulton County,
)	Georgia Case No.:
MORGAN STANLEY & CO., INC., <i>et al.</i> ,)	2008-EV-004739-B]
)	
Defendants.)	
)	
<hr style="width: 50%; margin-left: 0;"/>		

NOTICE

Plaintiffs are providing the Court Notice that they are withdrawing Plaintiffs' Motion to Compel Against Defendant Merrill Lynch, which was filed with the State Court on September 21, 2010.¹ Plaintiffs are withdrawing the Motion pursuant to the parties' Stipulation dated October 25, 2010, which was filed with the Court.

¹ Plaintiffs believe that the removal of this case was improper. Plaintiffs' filing of this Notice should not be construed as Plaintiffs' agreement or consent to the removal or to the jurisdiction of this Court.

Respectfully submitted, this 28th day of October, 2010.

/s/ Elizabeth G. Eager

John E. Floyd

Georgia Bar No. 266413

Steven J. Rosenwasser

Georgia Bar No. 614908

Nicole G. Iannarone

Georgia Bar No. 382510

Elizabeth G. Eager

Georgia Bar No. 644007

BONDURANT, MIXSON & ELMORE, LLP

3900 One Atlantic Center

1201 West Peachtree Street, N.W.

Atlanta, Georgia 30309

floyd@bmelaw.com

rosenwasser@bmelaw.com

iannarone@bmelaw.com

eager@bmelaw.com

Telephone: (404) 881-4100

Facsimile: (404) 881-4100

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this day, a true and correct copy of the foregoing **NOTICE** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

Attorneys for Defendants:

Richard H. Sinkfield, Esq.
Dan F. Laney, III, Esq.
Kristina M. Jones, Esq.
Stefanie H. Jackman, Esq.
James W. Cobb, Esq.
Rogers & Hardin
2700 International Tower, Peachtree Center
229 Peachtree Street, N.E.
Atlanta, GA 30303-1601
rsinkfield@rh-law.com

Further, I hereby certify that on this day, I caused a true and correct copy of the foregoing to be served by U.S. Mail on:

**Attorneys for Banc of America Securities, LLC;
Merrill Lynch, Pierce, Fenner & Smith, Inc.; and Merrill Lynch
Professional Clearing Corporation:**

Andrew J. Frackman, Esq.
Brad Elias, Esq.
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036
afrackman@omm.com

Attorneys for Morgan Stanley & Co. Incorporated:

Robert F. Wise, Jr., Esq.
William J. Fenrich, Esq.
Melissa T. Aoyagi, Esq.
Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017
robert.wise@davispolk.com

Attorneys for Bear Stearns & Co., Inc. and Bear Stearns Securities Corp.:

Stephen L. Ratner, Esq.
Harry Frischer, Esq.
Brian L. Friedman, Esq.
Proskauer Rose LLP
1585 Broadway
New York, NY 10036
blfriedman@proskauer.com

Attorneys for Goldman, Sachs & Co. and Goldman Sachs Execution & Clearing, L.P.:

Richard C. Pepperman II, Esq.
Richard H. Klapper, Esq.
Tracy Richelle High, Esq.
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004
peppermanr@sullcrom.com

Attorneys for Deutsche Bank Securities Inc.:

Heather L. Fesnak, Esq.
Peter J. Isajiw, Esq.
Gregory A. Markel, Esq.
Cadwalader Wickersham & Taft LLP
One World Financial Center
New York, NY 10281
peter.isajiw@cwt.com

Attorneys for UBS Securities, LLC:

Andrew B. Clubok, Esq.

Jeffrey G. Landis, Esq.

Daniel Gomez, Esq.

Kirkland & Ellis LLP

655 Fifteenth Street, N.W., Suite 1200

Washington, DC 20005-5793

aclubok@kirkland.com

Maria Ginzburg, Esq.

Kirkland & Ellis LLP

Citigroup Center

153 East 53rd Street

New York, NY 10022-4611

Attorneys for Credit Suisse Securities (USA), LLC.:

Fraser L. Hunter, Jr., Esq.

Wilmer Cutler Pickering Hale & Dorr LLP

399 Park Avenue

New York, NY 10022

fraser.hunter@wilmerhale.com

This 28th day of October, 2010.

/s/ Elizabeth G. Eager

Elizabeth G. Eager

Georgia Bar No. 644007